

ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE

DATE: July 23, 2018
START: 3:00 pm
END: 3:40 pm

DOCKET NO: 16-cv-00638

CASE: Agarunova v. The Stella Orton Home Care Agency, Inc.

- ☐ INITIAL CONFERENCE
☒ DISCOVERY CONFERENCE
☐ SETTLEMENT CONFERENCE
☒ MOTION HEARING

- ☐ OTHER/ORDER TO SHOW CAUSE
☐ FINAL/PRETRIAL CONFERENCE
☒ TELEPHONE CONFERENCE
☐ INFANT COMPROMISE HEARING

PLAINTIFF

ATTORNEY

	<u>Steven W. Hells</u>
	<u>Burkett McFurtuff</u>

DEFENDANT

ATTORNEY

	<u>Jeffrey Douglas</u>

- ☐ DISCOVERY TO BE COMPLETED BY _____
☐ NEXT _____ CONFERENCE SCHEDULED FOR _____
☐ JOINT PRE-TRIAL ORDER TO BE FILED VIA ECF BY _____
☐ PL. TO SERVE DEF. BY: _____ DEF. TO SERVE PL. BY: _____

RULINGS: PLEASE TYPE THE FOLLOWING ON DOCKET SHEET

For the reasons stated on the record, defendant's motion to stay discovery (DE #96) as to the named plaintiff during the pendency of defendant's motion to compel arbitration is denied. However, consistent with the spirit and intent of this Court's Memorandum and Order of November 6, 2017 (DE #46), the Court defers discovery relevant to the class and collective action until after Judge Brodie rules on the pending motion to compel arbitration. See also 10/18/17 Minute Order (ruling that "discovery shall proceed with regard to plaintiffs Fair Labor Standards Act claims").

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Plaintiff will not be prejudiced, ^{by this bifurcation of discovery,} as defendant has agreed that the statute of limitations with respect to potential opt-in plaintiffs has been tolled, and will continue to be tolled, since November 2, 2017. See DE #45. Defendant will promptly file a further stipulation confirming its agreement.